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SUBJECT: 2005 HONDURAN PRIMARY ELECTIONS - RULES OF THE GAME

REF: Tegucigalpa 1541

1. Summary. Honduran primary elections are scheduled for February 20, 2005, with general elections set for November 27, 2005. Under a new Electoral law reform passed early in 2004, Honduran voters will be able to select candidates for the National Congress in the 2005 elections based not only on their names but also on their photographs, a process without precedent in Honduras (reftel). This new method for the direct election of congressional members contrasts with the old system whereby candidates were elected on party rank-ordered congressional lists. USAID and other international donors will support the elections with about USD four million. A Supreme Electoral Tribunal, managed by political party appointees, has national authority to run the elections. End Summary.

2. Septel will provide more information on the political movements battling in the primaries and Post's assessment of the likely winners of the presidential nominations.

February Primaries - Three Parties Participating

3. Honduran primary elections are scheduled for February 20, 2005, with general elections set for November 27, 2005. The primaries will be open primaries, meaning that voters can choose which primary they want to vote in, as opposed to a closed primary that is restricted to party members only. Voters will be voting for candidates for president/vice president, congress, mayor, and city council, all of whom under running under a specific movement within a party. Three out of the five parties, the National Party (PN), the Liberal Party (PL), and the Democratic Unification Party (UD), will participate in the primaries. (Note: The second UD slate may not be registered by the TSE, in which case the UD will not participate in the primary elections. End Note.) The Christian Democrat Party (DC) and the Innovation and Unity Party (PINU) will not have primary elections, but instead will present candidate lists to the Supreme Electoral Tribunal (TSE) for the general election. Independent candidates who meet the registration requirements may run in the general elections only if they did not run and lose in a party primary election.

TSE - Key Institution for Elections

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4. The TSE has national authority to run the elections, with 298 municipal commissions reporting to 18 departmental commissions which in turn report to the TSE. The TSE budget is USD 18 million for primary and general elections, which the TSE is seeking from Congress. The TSE has 135 employees - 60 administrative, 30 technical staff, and 45 support staff. The National Registry of Persons (RNP), which provides identity documents to Honduran citizens and then forwards lists of eligible voters to the TSE, will loan the TSE another 10 people. The TSE must train all poll workers;

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there will be 96,000 - 168,000 poll workers. Police and the military will be responsible for the transport and security of ballots.

5. The TSE consists of President Jacobo Hernandez Cruz (PN), Magistrate Aristides Mejia (PL), Magistrate Saul Escobar (DC), and Backup Magistrate Yolanda de Vargas (PINU).

New this Election - Photos and Other Reforms

6. Under a new Electoral law passed in January that came into effect in April, voters will be able to select candidates for the National Congress in the 2005 elections based not only on their names but also on their photographs, a process without precedent in Honduras (reftel). This new method for the direct election of congressional members contrasts with the old system whereby candidates were elected on party rank-ordered congressional lists. It is thus the first primary for congressional and city council candidates. The ballot will be a paper ballot printed in color, with a box under the

name/photo of each candidate. Voters must check a box below each candidate they choose for a ballot to be valid. Voter can "cross" their votes and select individual candidates from different movements within the same party.

17. The new law limits campaigns to 50 days for primary elections and 90 days for general elections. A political candidate can run for one political position only. The office of Vice President was created, and the current system of three presidential designates was eliminated in the new law. The law also mandated limited campaign finance reporting requirements.

3.4-3.8 Million Eligible Voters

18. There are 3.46 million people on the draft list of eligible voters for primary elections; experts expect the final list set to be published January 5, 2005, to contain approximately 3.8 million people (Honduras has a population of approximately 7 million.) Honduran voters abroad will be able to vote for President and Vice President in the general election at Honduran embassies or consulates. Suffrage is universal and mandatory for those 18 and older; however, the clergy and members of the military or civilian security forces are not permitted to vote. Convicted felons cannot vote.

Technical Assistance

19. USAID is using USD 65,000 of the Bureau of Democracy, Conflict, and Humanitarian Assistance (DCHA) core funds under DCHA's contract with the International Foundation for Election Systems (IFES) to obtain almost three person-months of the services of a high-level elections expert, Rafael Lopez-Pintor, for Honduras beginning in late October. Mr. Lopez-Pintor's overall assignment is to help the TSE to develop its strategic approaches to implementing the new law. Mr. Lopez just completed (a) an assessment of the organizational and administrative capacity of the TSE to carry out the primary and general elections next year, and (b) assessed TSE's preparations to date for the elections.

10. USAID is also programming about USD 216,000, converted from local currency trust fund resources, to a Cooperative Agreement with the Inter-American Institute of Human Rights. Its Center for Electoral Assessment and Promotion (CAPEL) will use those resources to provide advisory assistance to (a) the GOH and NGOs in the development of a national voter education program and (b) the GOH in implementing the elections in accordance with the new law.

11. USAID's Bureau for Latin America and the Caribbean (LAC) has provided USD 130,000 to be used for elections, which have been obligated in the amendment signed August 30, 2004, for the new Ruling Justly Strategic Objective. The funds have been added through an amendment to an existing Cooperative Agreement with the Federation of Development Associations of Honduras (FOPRIDEH), an NGO umbrella organization, to support its election assistance program. FOPRIDEH has been working, with USAID assistance, on electoral reform for several years, and was instrumental in building public and Congressional support for electoral law change. FOPRIDEH has signed an agreement with the TSE to formalize cooperation between them in implementing the elections, with FOPRIDEH centering its program on a civic education campaign (media and leaflets) to familiarize voters with the new systems required by the new law and to promote dialogues on the role of civil society and the importance of political parties for democracy in Honduras.

12. On November 3, USAID, through the Strengthened Rule of Law Program (SROL), agreed to a GOH request to use USD one million of local currency funds to support the TSE during the 2005 elections. A Memorandum of Understanding (MOU) was signed with the Organization of American States (OAS) in order to join forces in support of the electoral process, and with the Ministry of Finance (MOF). Specifically, \$500,000 will be used to buy computer equipment for the elections through an OAS procurement process, and the remaining \$500,000 will be programmed based on USAID's recommendations derived from Mr. Lopez-Pintor's assessment. (See septel for problems involving this MOU.)

13. The Organization of American States (OAS) will provide technical assistance for computers and vote counting. Two OAS consultants are working under Swedish funding with the GOH on the development of the long run capacity of the TSE and the RNP to implement the new electoral law. Swedish funds are divided roughly equally between the two institutions, total about USD 2-2.5 million, and are designed to finance assistance for a two-year period.

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